

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**RONALD CLARK
ADC #101466**

PLAINTIFF

v.

Case No. 5:14-cv-00449-KGB-JJV

**LARRY NORRIS, Interim Director,
Arkansas Department of Correction**

DEFENDANT

ORDER

The Court has reviewed the Proposed Findings and Recommendations submitted by United States Magistrate Judge Joe J. Volpe (Dkt. No. 6) and plaintiff Ronald Clark's objections (Dkt. No. 7). After carefully considering the objections and making a *de novo* review of the record, the Court concludes that the Proposed Findings and Recommendations should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

The Court notes that, in his objections, Mr. Clark appears to seek permission to amend his complaint. There is no proposed amended complaint attached to Mr. Clark's objections. For this reason, and because it is unclear to the Court what amendment Mr. Clark intended to propose and whether such an amendment would be proper, the Court denies his request to amend his complaint at this time. The Court dismisses this action without prejudice for the reasons set forth in the Proposed Findings and Recommendations.

It is therefore ordered that:

1. Mr. Clark's complaint is dismissed without prejudice for failure to state a claim upon which relief may be granted (Dkt. No. 2).
2. Dismissal of this action counts as a "strike" for purposes of 28 U.S.C. § 1915(g).

3. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order adopting the Proposed Findings and Recommendations would not be taken in good faith.

SO ORDERED this the 22nd day of April, 2015.



KRISTINE G. BAKER
UNITED STATES DISTRICT JUDGE